

Remarks

This Amendment is in response to the Office Action dated June 22, 2007. Claims 1-17 are pending.

Applicants respectfully submit that the prior art is directed to locks used to retain headless pivot rods. The problem with using locks to retain headless pivot rods is that they are difficult to extract.

If a headless pivot rod is closed off on one side, it is very difficult to extract the rod. Typically, a special tool is required to extract the headless pivot rod. If there are two locks on either side of the headless pivot rod, then a separate rod or steel pin is needed to push the rod out.

Despite all of these problems, the prior art has not proposed an adequate solution. But, the present invention provides a solution by using a headed pivot rod, which can be extracted with a simple screwdriver. One advantage of the present invention is that this same screwdriver can also be used to open the lock from the same side as the headed pivot rod.

Because the headed pivot rod has its own retaining function in addition to the lock, a lock is not needed on the opposite belt edge. Thus, only one belt edge is required for belt extraction. In addition since there is no lock on the second belt edge and because there is no need for a different edge module on the lockless side, costs can be reduced.

35 U.S.C. §103

The Examiner has rejected claims 1-17 under 35 U.S.C. 103(a) as being unpatentable over Nakamura (U.S. Patent No. 6,308,825).

In response, the Applicants respectfully submit that Nakamura '825 is directed to headless pivot rods. Nakamura requires either a closed second end or a second plug positioned at the end to retain the pin. As noted above, there are several problems with using locks on headless pivot rods. The present invention solves many of these problems. Because the prior art does not even identify the problems associated with using locks on headless pivot rods, it does

not suggest a solution for solving the problem. At the time of the present invention, the state of the art did not contemplate using locks to retain headed pivot rods.

In particular, nothing in Nakamura '825 teaches that there are problems and difficulties with using lock and headless pivot rod combinations. Because there is no such disclosure in Nakamura '825, nothing in this reference suggests solving the problem by adapting the lock combination for a headed pivot rod.

The Applicants respectfully submit that the Examiner has not provided an articulated reason for adapting the Nakamura combination to be used in a headed pivot rod.

The Examiner has rejected claims 1-6, 8-14 and 16-17 under 35 U.S.C. 103(a) as being unpatentable over Verdigets et al. (U.S. Patent No. 5,904,241).

In response, the Applicants respectfully submit that the entire disclosure of Verdigets '241 is directed to headless pivot rods. The Verdigets et al. reference also requires a closed second end or a second shuttle plug positioned at the second end to retain the pivot rod. The Examiner contends that one of ordinary skill could obtain the present invention without undue experimentation. But the Applicants respectfully submit that the Examiner has not provided an articulated reason for adapting the Verdigets invention to headed pivot rods. Just because something is simple does not mean that it would have been obvious to one of ordinary skill in the art.

Additionally, for all of the reasons above with respect to Nakamura '825, the Applicants respectfully argue that one of ordinary skill in the art would not have been motivated to adapt the invention of Verdigets '241 to headed pivot rods.

The Examiner has rejected claims 1-17 under 35 U.S.C. 103(a) as being unpatentable over Guldenfels (U.S. Pub No. 2002/0195321) or Costanzo (U.S. Pub. No. 2001/0045346) in view of Nakamura.

The Costanzo reference is not directed to solving the problem of holding the pivot rods in place, nor it is directed to solving the problem of easily removing the pivot rod. Rather, Costanzo is directed to cleanability of conveyor belts (see paragraph [006], conveyor belts having low backline pressure or low-friction side transfer (see paragraph [007]), and conveyor

belts with the capability of justifying the conveyed articles on one side (see paragraph [0008]). Costanzo merely mentions that its conveyor belt modules use hinge pins or headed pivot rods. One of ordinary skill in the art would not combine the Nakamura reference with the Costanzo reference because nothing in Costanzo teaches that there is a problem associated with using headed pivot rods.

The Guldenfels reference is likewise not directed to solving the problem of holding the pivot rods in place, nor it is directed to solving the problem of easily removing the pivot rod. Rather, Guldenfels is directed to the design of the modules such that the pivot rods and the link end apertures or slots can be cleaned better without dismantling the belt (see paragraph [004]). Guldenfels merely mentions that its conveyor belt uses pivot rods that pass through the link ends.

The Examiner has rejected claims 1-6, 8-14 and 16-17 under 35 U.S.C. 103(a) as being unpatentable over Guldenfels (U.S. Pub No. 2002/0195321) or Costanzo (U.S. Pub. No. 2001/0045346) in view of Verdigets.

In response, the Applicants respectfully submit that both the Guldenfels and Costanzo references teach headed pivot rods. For the reasons above, one of ordinary skill in the art would not combine the Nakamura reference with the Costanzo or the Guldenfels reference.

### CONCLUSION

It is believed that the Applicants have responded fully to all of the issues raised by the Examiner. Based on the above arguments and amendments, the Applicants respectfully submit that independent claims 1, 9 and 17 are allowable, and therefore, dependent claims 2-8 and 10-16 are also allowable. Therefore, the Applicants respectfully request the Examiner to allow these claims.

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If any additional fee is due, the Examiner is authorized to charge it to deposit account number 08-2442.

Respectfully submitted,

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